

MEMORANDUM

August 3, 1972

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing Date: 8/8

Petition No. Z-2528  
Westcliff Realty Trust  
390 Commonwealth Avenue  
Boston

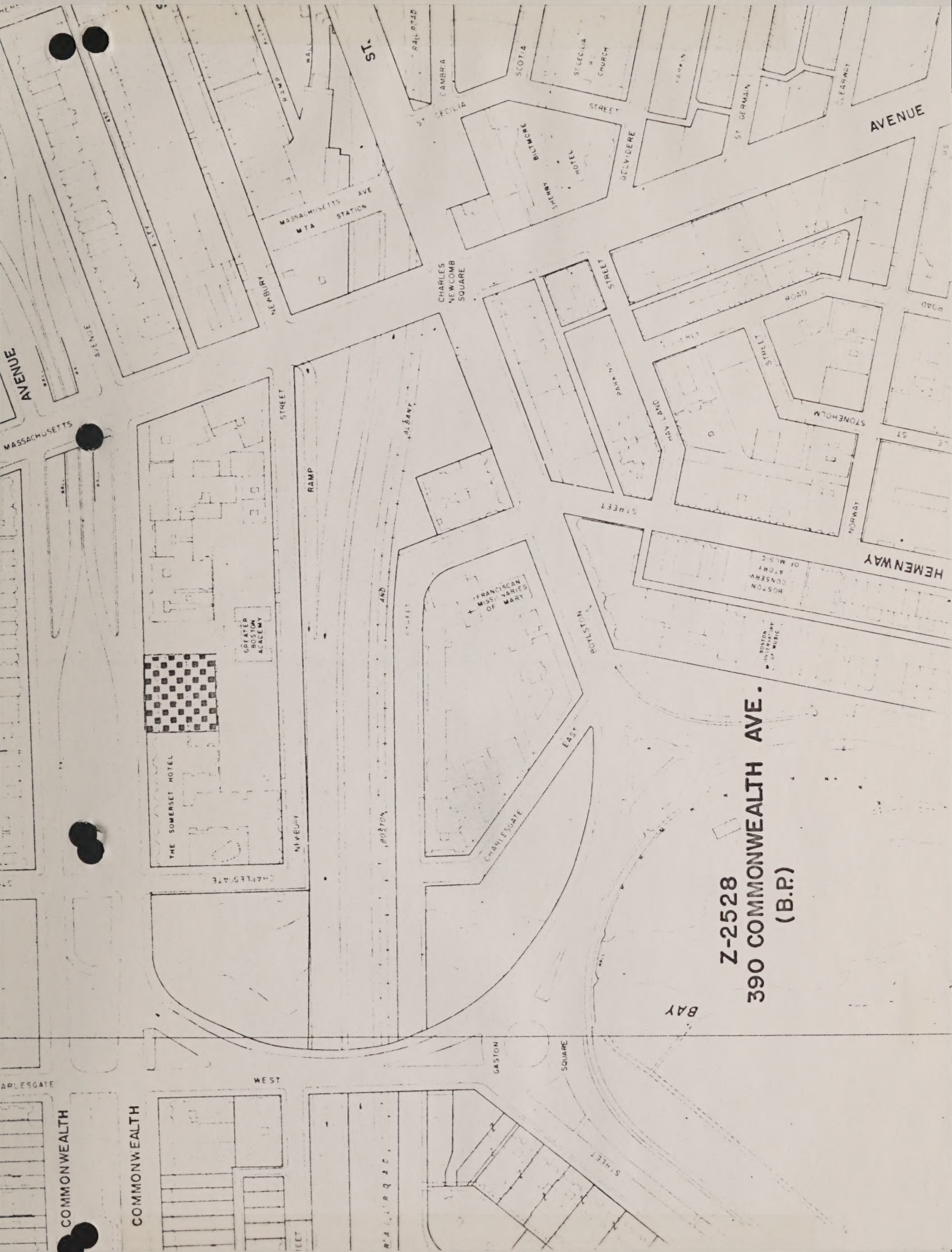
Petitioner seeks five forbidden uses for a change of occupancy from a hotel and office building to office building, restaurant and commercial facilities in an apartment (H-5-70) district. The proposal violates the code as follows:

- Section 8-7. Retail stores are forbidden in an H-5 district.
- Section 8-7. A restaurant is forbidden in an H-5 district.
- Section 8-7. An office building and bank are forbidden in an H-5 district.
- Section 8-7. A barber shop and beauty shop are forbidden in an H-5 district.
- Section 8-7. A tailor and dry cleaning shop is forbidden in an H-5 district.

The property, located on Commonwealth Avenue near the intersection of Charlesgate East, contains the seven story "Puritan Building" or left wing of the former Somerset Hotel. Retail stores, services and restaurant will occupy the first floor and basement. The restaurant facility has existed in the building for over 15 years. A garage with accommodations for over 300 cars is located at the rear of the site. The proposal is appropriate and would tend to stabilize the area from marginal uses. Recommend approval.

VOTED: That in connection with Petition No. Z-2528, brought by Westcliff Realty Trust, 390 Commonwealth Avenue, Boston, for five forbidden uses for a change of occupancy from a hotel and office building to office building, restaurant and commercial facilities in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. The proposed office conversion would tend to stabilize the area from marginal uses.





Z-2528  
390 COMMONWEALTH AVE.  
(B.P.)



Board of Appeal Referrals 8/3/72

Hearing Date: 8/29

Petition No. Z-2538  
Beacon Chambers Corp.  
Constantine G. Taleas (Lessee)  
15-27 Myrtle & 28-34 Joy Streets  
Boston

Petitioner seeks an extension of a nonconforming use to remodel a restaurant in an apartment (H-2-65) district. The proposal violates the code as follows:

Section 9-1. An extension of a nonconforming use requires a Board of Appeal hearing.

The property, located on Myrtle Street at the intersection of Joy Street, contains an eight story hotel, restaurant and retail store structure. It is proposed to extend the street level restaurant facility by remodeling former store space. There will be no exterior alterations nor will there be any adverse affect on adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2538, brought by Beacon Chambers Corp. & Constantine G. Taleas (Lessee), 15-27 Myrtle and 28-34 Joy Streets, Boston, for an extension of a nonconforming use to remodel a restaurant in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. The proposed alterations will not adversely affect adjacent properties.





Z-2538

15-27 MYRTLE ST.

28-34 JOY ST.

(B.P.)



Board of Appeal Referrals 8/3/72

TABLED: 7/20/72

Hearing Date: 8/15

Petition No. Z-2545

Boston Housing Authority

CBI Corporation

28 Pond Street, Jamaica Plain

Petitioner seeks a forbidden use and six variances to erect a four story 23 unit apartment dwelling for the elderly in a residential (R-.5) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A multi family dwelling is forbidden in an R-.5 district.		
Section 14-1.	Lot area is insufficient.	2 acres	9911 sf
Section 15-1.	Floor area is excessive.	0.5	1.5
Section 16-1.	Height of building is excessive.	2 stories	4 stories
Section 17-1.	Open space is insufficient.	1000 sf/du	248 sf/du
Section 20-1.	Rear yard is insufficient.	40 ft.	8 ft.
Section 23-1.	Off street parking is insufficient.	5 spaces	0

The property, located at the intersection of Pond and Myrtle Streets, contains 9,911 square feet of land directly opposite an existing Boston Housing Authority elderly development (44 units). Accommodations would include 16 efficiency units and 7 one bedroom units. Public transportation and shopping facilities are within walking distance. The staff recommends the following: that all plans and drawings be submitted to the Authority for design review; that the site be suitably landscaped; that a crosswalk and flashing light be installed at the intersection of Pond and Myrtle Streets. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2545, brought by the Boston Housing Authority, CBI Corporation, 28 Pond Street, Jamaica Plain, for a forbidden use and six variances to erect a four story 23 unit apartment dwelling for the elderly in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that all plans and drawings be submitted to the Authority for design review; that the site be suitably landscaped; that a crosswalk and flashing light be installed at the intersection of Pond and Myrtle Streets.





Z-2545  
28 POND ST.  
(J.P.)



Board of Appeal Referrals 8/3/72

Hearing Date: 8/22

Petition No. Z-2552--  
James F. & Mary C. Kelley,  
Trustees of 819 Beacon Street Trust  
University Realty Corporation  
First Realty Co. of Boston  
(Developer)  
809-821 Beacon Street, Boston

Petitioner seeks a conditional use, four forbidden uses and four variances to erect a 23 story 284 unit apartment building and a three story 255 car garage in an apartment (H-2) and a light manufacturing (M-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Multi family dwellings are conditional in an M-2 district.		
Section 8-7. A retail store is forbidden in an H-2 district.		
Section 8-7. A restaurant is forbidden in an H-2 district.		
Section 8-7. A professional office is forbidden in an H-2 district.		
Section 8-7. Agency offices are forbidden in an H-2 district.		
Section 15-1. Floor area ratio is excessive.	2.0	4.0
Section 17-1. Open space is insufficient.	150 sf/du	106 sf/du
Section 19-6. Side yard is insufficient.	1 ft.	0
Section 20-1. Rear yard is insufficient.	12 ft.	11 ft.

The property, located on Beacon Street between Audubon Circle and Kenmore Square, contains approximately 1.4 acres of land partially utilized as a parking lot. The garage would be constructed adjacent to the tower structure. Commercial facilities would occupy the tower's first and second stories. The proposal is consistent with the multi unit residential nature of the area. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-2552, brought by James F. & Mary C. Kelley, Trustees of 819 Beacon Street Trust and University Realty Corporation, 809-821 Beacon Street, Boston, for a conditional use, four forbidden uses and four variances to erect a 23 story 284 unit apartment building and a three story 255 car garage in an apartment (H-2) and a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval provided that all plans are submitted to the Authority for design review approval.





Z-2552  
309-821 BEACON ST  
(B.P.)



Board of Appeal Referrals 8/3/72

Hearing Date: 10/10

Petition No. Z-2553  
Bethan Realty Trust  
Housing Innovations, Inc.  
181 St. Botolph Street, Boston

Petitioner seeks a conditional use and two variances for a change of occupancy from a one family dwelling to six apartments in an apartment (H-2) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families which meets one half the requirements of open space and off street parking is conditional in an H-2 district.		
Section 17-1.	Open space is insufficient.	150 sf/du	103 sf/du
Section 23-1.	Off street parking is insufficient.	4 spaces	2 spaces

The property, located on St. Botolph Street between Cumberland Street and Massachusetts Avenue, contains a three story masonry structure apparently utilized as a 12 room lodging house for many years. The proposed rehabilitation and conversion to a permanent occupancy is consistent with the residential program currently underway in the neighborhood. However, the staff recommends that the density be reduced to four units, a more appropriate use of the structure, and that the required off street parking be provided within walking distance of the residence. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2553, brought by Bethan Realty Trust and Housing Innovations, Inc., 181 St. Botolph Street, Boston, for a conditional use and two variances for a change of occupancy from a one family dwelling to six apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided that the density be reduced to four units, a more appropriate use of the structure, and that the required off street parking be supplied within walking distance of the residence. The proposed rehabilitation and conversion to a permanent occupancy is consistent with the residential program currently underway in the neighborhood.





Z-2553  
181 ST BOTOLPH ST.  
(B.P.)



Board of Appeal Referrals 8/3/72 .

Hearing Date: 10/17

Petition No. Z-2554  
Robert M. McKeon  
22 Pinckney Street  
Boston

Petitioner seeks two variances to erect a rear dormer addition to a single family dwelling in an apartment (H-2-65) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	2	3
Section 20-1. Rear yard is excessive.	13 ft.	3 ft.

The property, located on Pinckney near the intersection of Joy Street, contains a three story brick structure. The proposed extension, to be utilized as a bedroom, will increase the existing floor area violation only minimally and will not significantly affect abutting residences. Recommend approval.

VOTED: That in connection with Petition No. Z-2554, brought by Robert M. McKeon, 22 Pinckney Street, Boston, for two variances to erect a rear dormer addition to a single family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. The proposed bedroom extension will increase the existing floor area violation only minimally and will not have a significant affect on abutting residences.





Z-2554  
22 PICKNEY ST.  
(B.P.)



Board of Appeal Referrals 8/3/72

Hearing Date: 8/22

Petition No. Z-2568  
Charles G. Crones  
One Faneuil Hall Square Trust  
(Developer)  
28-36 Merchants Row & 1-2  
Faneuil Hall Square, Boston

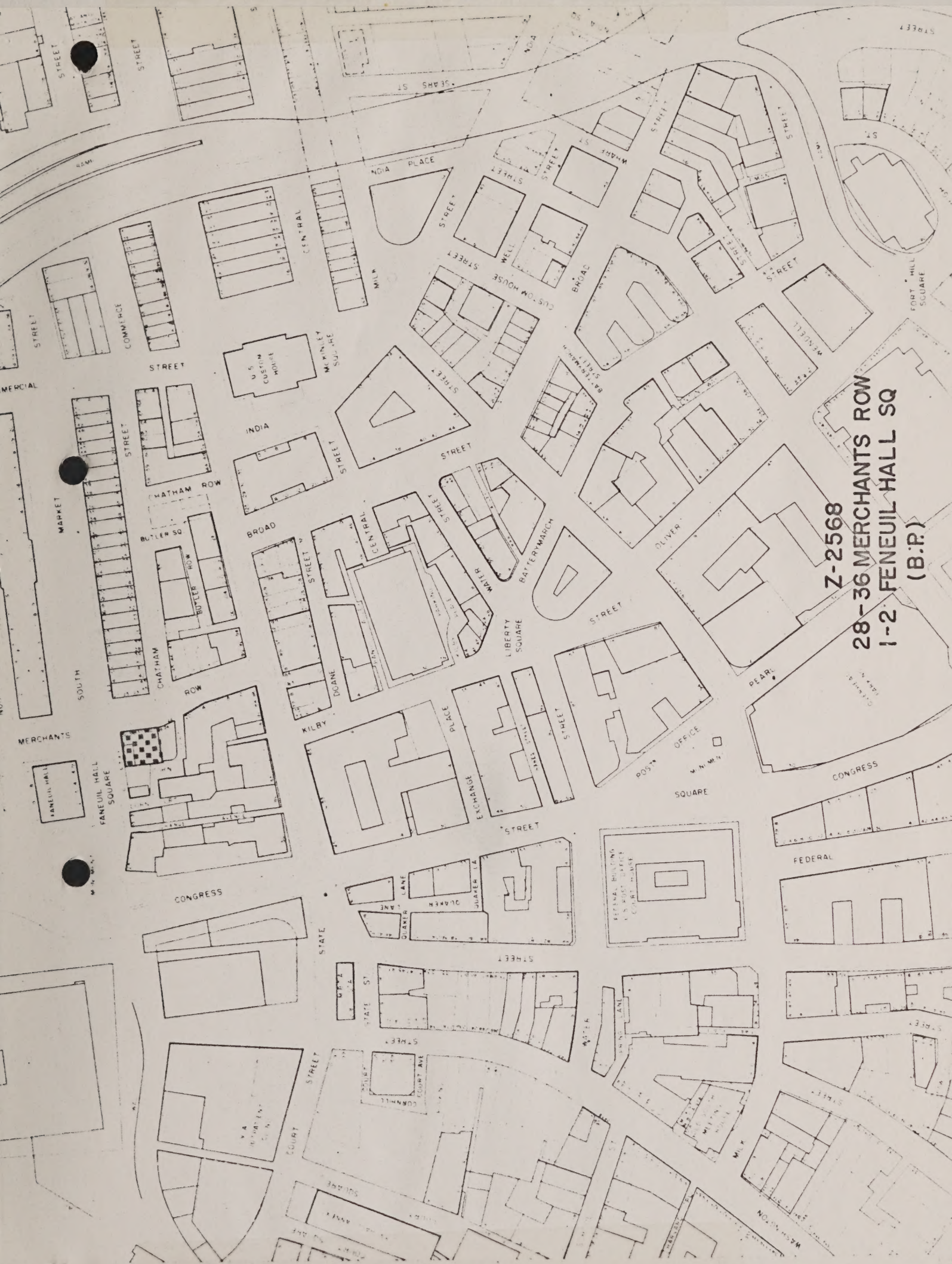
Petitioner seeks two variances to renovate and erect three additions to an existing commercial structure in a general business (B-8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 20-1. Rear yard is not provided.	10 ft.	0
Section 21-1. Setback of parapet is not provided.	15 ft.	0

The property, bounded by Merchants Row, Faneuil Hall Square and South Market Street in the Government Center Urban Renewal Area, contains a six story masonry structure which after renovations and additions will be utilized for office space. The roof of this historical structure will be restored to its 1854 appearance, pitched slate and dormers. An existing fish market will continue to operate on the first floor. The rear yard and setback deficiencies are existing. Parapet setbacks are provided on the north and east sides. Recommend approval.

VOTED: That in connection with Petition No. Z-2568, brought by Charles G. Crones, 28-36 Merchants Row & 1-2 Faneuil Hall Square in the Government Center Urban Renewal Area, for two variances to renovate and erect three additions to an existing commercial structure in a general business (B-8) district, the Boston Redevelopment Authority recommends approval. The proposed renovation and restoration of this historical structure is consistent with the Government Center Urban Renewal objectives and will enhance the area. The rear yard and setback deficiencies are existing. Parapet setbacks are provided on the north and east sides.





Z-2568  
28-36 MERCHANTS ROW  
1-2 FENEUIL HALL SQ  
(B.P.)



Board of Appeal Referrals 8/3/72

Hearing Date:

Petition No. Z-2573  
LiDaPell Associates (Developer)  
60-84 St. Botolph Street, Boston

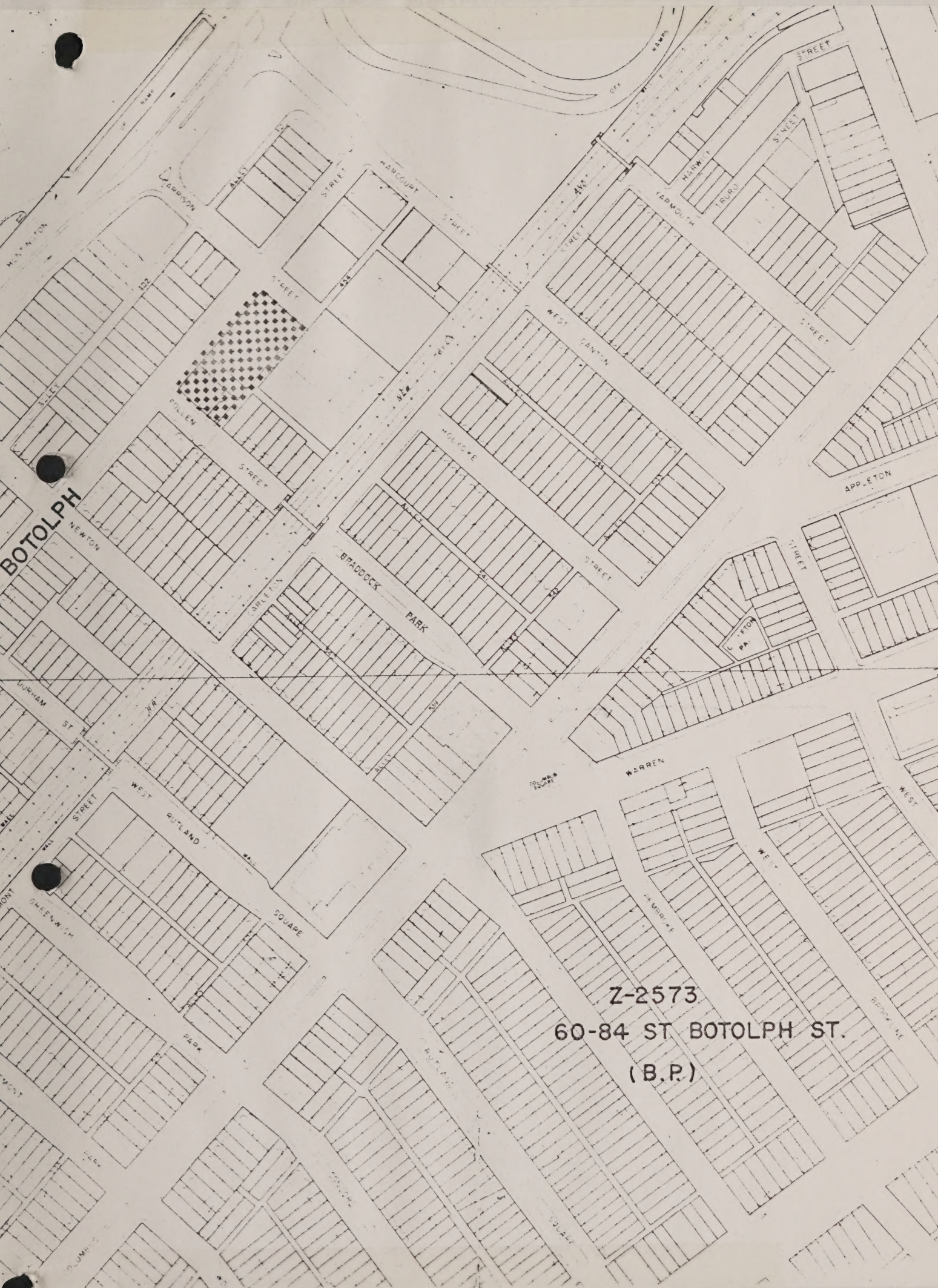
Petitioner seeks a variance to erect a seven story 134 unit elderly housing structure in an apartment urban renewal area (H-5-U) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 23-1. Off street parking is insufficient.	27 spaces	15 spaces

The property, bounded by St. Botolph, Follen and Garrison Streets, contains 19,794 square feet of land. The petitioner has been tentatively designated by the Authority to develop the site for "turnkey" elderly housing. Accommodations will consist of efficiency and one bedroom units; a community room facility will be located on the ground floor. The proposed off street parking provision is based on a BHA survey finding of 10% actual usage of elderly housing parking facilities. Recommend approval.

VOTED: That in connection with Petition No. Z-2573, brought by LiDaPell Associates, 60-84 St. Botolph Street, Boston, for a variance to erect a seven story 134 unit elderly housing structure in an apartment urban renewal area (H-5-U) district, the Boston Redevelopment Authority recommends approval. The development is consistent with the BRA approved plan. The proposed off-street parking provision is based on a BHA survey finding of 10% usage of elderly housing parking facilities.





Z-2573  
60-84 ST BOTOLPH ST.  
(B.P.)



